

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA 6 October 2005

**Item No:** 08  
**Address:** Fairways Forester Road Soberton Heath Southampton Hampshire  
SO32 3QG

**Parish/Ward** Soberton

**Proposal Description:** New two-storey dwelling (Thatchers Yard, adjacent to Fairways)

**Applicants Name** Sudberry Developments Ltd

**Case No:** 05/01929/FUL

**W No:** W19400/02

**Case Officer:** Mrs Julie Pinnock

**Date Valid:** 3 August 2005

**Delegated or Committee:** Committee Decision

**Reason for Committee:** Parish Council submitted representations contrary to officer  
recommendation

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**Site Description**

- Thatchers Yard is an area of land between two residential dwellings Fairways and Randall Cottage which front Forester Road
- To the rear of the site area is a flat roof timber building
- There is an existing vehicular access from Forester Road into the site

**Relevant Planning History**

- W19400 - Demolish existing conservatory and erect new rear conservatory - Fairways Forester Road Soberton Heath Southampton Hampshire SO32 3QG - Application Permitted - 16/03/2005
- W19400/01 - House and double car port to the front (Thatchers Yard, adjacent to Fairways) - Fairways Forester Road Soberton Heath Southampton Hampshire SO32 3QG - Application Withdrawn - 21/03/2005

**Proposal**

- As per Proposal Description
- The proposal seeks the erection of a detached two storey dwelling with three bedrooms
- The application is a re-submission following the withdrawal of an earlier application which sought a much larger four bedroom dwelling on the site, which had a higher and bulkier roofline, and extended out beyond the rear elevation of the existing two storey dwellings either side at two storey

**Consultations**

Engineers:Drainage:

- No objection subject to building regulations
- Advise that Environment Agency must be consulted as proposes use of non-mains drainage

Engineers:Highways:

- No highway objection subject to conditions
- Vehicle access via an existing private access junction onto Forester Road
- Unlikely that the proposal will cause demonstrable harm to users of the adjoining highway

Environment Agency:

- No objection in principle – recommend information to notify applicant that the development may need a discharge consent and permission may not be forthcoming

**Representations:**

Soberton Parish Council

- Object to the proposal on the following grounds:-
- The property directly affects the amenity of neighbouring properties, namely less than 1 m from eastern boundary with Randall Cottage, making the distance of 1.001m from Randall Cottage itself; and also less than 1.00m from the boundary with Fairways with the porch being less than 2.50m from habital space and windows (which gives rise to matters of right to light)
- Amenity of adjacent properties. Your design at ground floor establishes windows and a conservatory which directly overlook both adjacent properties. This has a direct impact and is unacceptable
- Traffic, off street parking and turning. The drawings do not show how cars will access and egress the site with the ability to turn. We are extremely concerned that there is no garage or car port as part of the property (clearly this would need to be set back from the road and building frontage)
- Soberton and newtown Village Design Statement (adopted planning guidelines) – page 18
- Proposal fails to meet 3 of the 6 relevant 'do' points and contravene 3 of the 'don't points. Letters of representations have been received from 3 Neighbours

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- Object on following grounds:-
- No benefit to the road or area by the development
- Destruction of a further piece of the heath – all trace of it will soon be lost completely and the name Soberton Heath will disappear into the history books
- Loss of existing roof thatchers yard with low key building
- Overdevelopment - spaces between existing dwellings should be retained to preserve what little remains – narrow plot – building will take up entire width of the plot – no natural gaps between boundary and any potential building
- Loss of wildlife habitat – site has an abundance of wildlife large and small – unusual nesting birds, rare butterflies and dragonflies
- No mains drainage – further strain on waterlogged, low lying ground
- Further light, traffic and noise pollution
- Concern over accuracy of plans
- Position of porch will result in loss of privacy – difficult to receive deliveries of large items of furniture etc
- Overlooking and loss of privacy and light to patio to Willowfield
- Overlooking and loss of light to ground and second floor windows and conservatory to Randall Cottage
- No turning space

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

- H1, H.5, UB3, T5, R2

Winchester District Local Plan

- H.2, EN.5, EN.13, T.9, RT.3, E.2

Winchester District Local Plan Review Deposit and Revised Deposit:

- H.3, DP.3, DP.10, DP.11, T.3, T.4, RT.3, E.2

Supplementary Planning Guidance:

- Soberton and Newtown Village Design Statement
- Winchester District Local Plan Review – Housing Monitoring Report 2003
- Technical Paper: Open Space Provision and Funding
- Guide to the Open Space Funding System
- Movement, Access, Streets and Spaces
- Parking Standards 2002

National Planning Policy Guidance/Statements:

- PPS 1 Delivering Sustainable Development
- PPG 3 Housing

**Planning Considerations**

The main considerations in respect of this application are:

- Principle of development
- Impact on the character of the area/spatial characteristics/street scene
- Residential amenities
- Highways
- Public open space provision
- Comments on representations
- Drainage/flooding

Principle of development

- The site is situated within the recognised development frontage of this part of Soberton Heath
- Policy H.2 of the adopted local plan and H.3 of the emerging local plan allow residential development along the defined frontage subject to detailed criteria which requires

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development to reflect the curtilage size and character of the locality; avoid development of plots in depth; provide for vehicles to park and turn within the site; combine access points where possible

- Soberton and Newtown Village Design statement was adopted as supplementary planning guidance on 27<sup>th</sup> February 2002
- It supplements the Winchester District Local Plan, and provides a variety of information over six sections
- Section three deals with design, and section four provides a summary of development guidelines
- The site has been identified within the Urban Capacity Study and the Housing Monitoring Report 2003 which identifies the site as a 'good' urban capacity site
- The site is 714 sq.m. which equates to 0.07 hectares, the density of 1 dwelling on this area is 14 dwellings per hectare
- Although the density is low, the site is only capable of accommodating one dwelling to the frontage to accord with policy
- The loss of the existing low key employment use is a consideration, however the building is not of a permanent construction, and the sites allocation for residential use is a material planning consideration and accords with the aims and objectives of PPG3
- There is no planning history for the existing use at the site

Impact on character of area

- The proposal is for a detached two storey dwelling, which will be situated between two existing two storey dwellings which front Forester Road.
- To the south east of the site is Randall Cottage a two storey dwelling with a single storey element adjacent to the boundary with the application site, with a roof height of 6.4m
- To the north west of the site is Fairways a two storey dwelling with a roof height of 7.8m
- The proposed two storey dwelling has a roof height of 7.5m, which provides a stepped appearance on the street scene
- The proposed dwelling does not extend further forward than the existing dwellings either side
- It is considered that the proposal sits comfortably between the existing dwellings, and does not result in a cramped appearance or detract from the spatial character of the street scene

Residential amenities

- The proposed dwelling is situated between two existing dwellings
- To the south east is Randall Cottage which has a single storey extension to the side adjacent to the site boundary, it does have a window to the side at ground floor, and one window at first floor windows in the two storey element of the dwelling
- It is not considered that the proposal, which proposes two ground floor windows and one first floor window, which it is recommended should be obscure glass, and fixed to open at the top only for ventilation (for a bathroom) affects the amenities of the occupiers of Randall Cottage in terms of a material loss of light or overlooking
- The ground floor windows could overlook the neighbouring property, however a condition is recommended to require an adequate boundary treatment here which will ensure privacy at ground floor level
- To the north west is Fairways, which from the site boundary is 2.27m away.
- There are no windows on the side elevation of this dwelling, and whilst it is acknowledged that the entrance porch to the proposed dwelling (to the side) is close to the boundary, it is not considered to affect the amenities of Fairways, visually, or as a result of people entering the proposed dwelling
- Works are virtually complete on a conservatory recently granted planning permission at Fairways
- There are two other windows proposed at ground floor level, which serve a downstairs cloakroom and utility room, and a window between ground and first floor which provide light to the stairwell.

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- Again a condition is recommended to require an appropriate boundary treatment here
- Your Officers do not consider that the proposal affects the amenities of the occupiers Fairways

Highways

- The highway engineer is satisfied with the proposal, and does not raise any objection to the proposal
- Forester Road is an unclassified road and the highway engineer has advised that the proposal is acceptable, and that he could not sustain a highway reason for refusal as the site does not provide for turning within the site

Public open space provision

- The applicant has made the payment of £2,034.00 on 15<sup>th</sup> September 2005 towards the public open space provision

Comment on representations

- The Parish Council, and occupiers of the neighbouring properties have raised a number of concerns, which have been dealt with elsewhere in the report
- The primary concern is the size of the dwelling, and its proximity to the boundaries of the site
- The applicant advises that the site survey provided with the application is accurate and your Officers consider that the dwelling sits comfortably on the plot, although the dwelling is close to the site boundary, Randall Cottage to the south east is orientated at an angle to the site, with no side access along the boundary and to the north west adjacent to Fairways the proposed dwelling at its closest point is 900mm from the site boundary, and the space between the two dwellings at this point would be 3.17m, and towards the front of the site the space between Fairways and the proposed front elevation of the dwelling is 3.645m
- The occupiers of Willowfield situated to the north west of Fairways are concerned about overlooking and loss of light to a patio area, the dwelling Willowfield was granted permission in 1983 and is set slightly further into its plot than Fairways, overlooking would therefore be difficult from the proposed dwelling, any view from first floor windows would be from a distance of approx 30m.
- Concern has been raised over the accuracy of the plans, Officers are satisfied that the measurements on the plans are accurate
- The occupiers of Randall Cottage are concerned about loss of light to their rear conservatory, however they are situated to the south east of the application site, the proposal will not result in the loss of light to the conservatory or rear garden
- The Parish Council are concerned that the proposal conflicts with policies of the Village Design Statement, and cites three areas that the proposal does not meet
- Your Offices have carefully assessed the proposal, and consider that the proposal accords with adopted national and local policies and does not breach the aims of the Village Design Statement, which is supplementary planning guidance to the adopted local plan

Drainage/flooding

- The drainage engineer is satisfied with the proposal which proposes the use of non-mains drainage with the provision of a sewage treatment unit for the disposal of foul sewage, and the use of soakways for the disposal of surface water
- The Environment Agency have raised no objection to the proposal, although they advise that the development may need a Discharge Consent from the Environment Agency, and permission may not be forthcoming
- This is a matter that will be dealt with separately by the Environment Agency who advise that providing secondary containment measures may reduce the risk of pollution

**Planning Obligations/Agreements**

In seeking the planning obligation(s) and/or financial contributions for £2,034.00 the Local Planning Authority has had regard to the tests laid down in Circular 1/97 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

**Recommendation**

**APPROVE (provided the applicant is prepared to make the appropriate provision for public open space through the open space funding system) – subject to the following condition(s):**

**Conditions/Reasons**

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

02 No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

02 Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

03 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

03 Reason: In the interests of the visual amenities of the area.

04 The first floor windows in the north east and south west side elevations of the dwelling hereby permitted shall be glazed in obscure glass and shall be fixed non-opening or top-opening details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

04 Reason: To protect the amenity and privacy of the adjoining residential properties.

05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, D and E of Parts 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority.

05 Reason: To protect the amenities of the locality and to maintain a good quality environment.

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06 No development shall commence pursuant to this permission until details of the arrangements to be made for the parking (2 spaces) and turning of vehicles on the site have been submitted to and approved in writing by the Local Planning Authority. Such turning space shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear. The turning space shall be retained and kept available for such purposes at all times.

06 Reason: In the interests of highway safety.

07 Before the development hereby approved is first brought into use, a minimum of two car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

07 Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

**Informatives**

01. This permission is granted for the following reasons:  
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: H1, H.5, UB3, T5, R2

Winchester District Local Plan Proposals: H.2, EN.5, EN.13, T.9, RT.3, E.2

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: H.3, DP.3, DP.10, DP.11, T.3, T.4, RT.3, E.2

03. Under the terms of the Water Resources Act 1991 this development may need a Discharge Consent from the Environment Agency. Permission might not be forthcoming.